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10/759,681	01/16/2004	Jonathan D. Levine	D/A2322	8586

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EXAMINER

DICKERSON, CHAD S

ART UNIT	PAPER NUMBER
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2625

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10/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/759,681	Applicant(s) LEVINE, JONATHAN D.	
	Examiner Chad Dickerson	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/16/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>see attachment</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - On page 5, line 5 of paragraph [0011], the phrase "which is are" is suggested to be changed to -- which are --.Appropriate correction is required.

Claim Objections

2. Claims 34 and 35 are objected to because of the following informalities:
 - Re claim 34: the claim dependency is suggested to be changed to claim 28 to give the claim antecedent basis.
 - Re claim 35: the claim dependency is suggested to be changed to claim 28 to give the claim antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 20-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Levine '462 (US Pub No 2004/0205462).

Re claim 20: Levine '462 discloses a system having a single, robust, universal workflow for the creation, printing, and binding of hardcopy books, and for the accessibility and delivery of electronic books, said system comprising:

a book file generator adapted to generate a digital representation of a book targeted for reproduction into book files (i.e. in the system, a book file generator adapted to generate a digital representation of a book targeted for reproduction is used. This book is used for reproduction into book files; see figs. 1-3; paragraphs [0007]-[0023]);

a common normal format converter adapted to convert said book files and book identification information into a common normal format that is solution-independent (i.e. in the system a solution-independent converter adapted to convert book files to have a solution-independent, intermediate format. The book files along are converted into a solution-independent format and the book identification information is included with the information so that all the files together can be mastered in a solution-independent form; see figs. 1-3; paragraphs [0007]-[0023]);

a book file memory adapted to store common normal format files as a mastered book (i.e. the book file memory is adapted to store the solution-independent, intermediate formatted book files along with book identification information as a mastered book; see figs. 1-3; paragraphs [0007]-[0023]);

an equipment specific format file converter adapted to convert common normal format files into a equipment specific format matching the needs of a book reproduction equipment being utilized to reproduce the book (i.e. a solution-dependent converter, analogous to the equipment specific format file converter, is adapted to convert solution-independent, intermediate formatted book files, analogous to the common normal format files, to solution-dependent formatted book files to match the needs of a book reproduction workflow utilized by the reproduction system used in the invention; see figs. 1-3; paragraphs [0007]-[0023]); and

a book reproducer adapted to reproduce the book from information comprised by the equipment specific format files (i.e. a book reproducer is adapted to reproduce a book from information comprised by solution-dependent formatted book file, which is analogous to equipment specific format files; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 21: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein said book in step a) is originally in the form of electronic files (i.e. the book in the system can already be on the system in digital form, which is also a form of electronic files; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 22: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein said book in step a) is originally in the form of a hard copy, and said book file generator further comprises:

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a book scanner adapted to scan the components of said book (i.e. in the system a commercially available optical scanner is used to scan the pages of the book desired for reproduction; see figs. 1-3; paragraphs [0007]-[0023]); and

a scanned component converter adapted to convert scanned components of said book into said digital representation (i.e. the analog signals representing the image from the optical scanner are converted into a digital representation; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 23: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein said book identification information comprises the book title (i.e. in the system, book identification information includes a title; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 24: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein said book identification information comprises the book author (i.e. in the system, book identification information includes an author; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 25: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein said book identification information comprises the book publisher (i.e. in the system, book identification information includes a publisher; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 26: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 20, wherein said book identification information comprises the International Standard Book Number (i.e. in the system, book identification information includes an ISBN; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 27: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein said book identification information comprises the book publishing date (i.e. in the system, book identification information includes a publishing date; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 28: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein said equipment specific format converter comprises:

a book production information generator adapted to generate hard copy book production information (i.e. the system acquires or generates the appropriate book production information relating the output of the hard copy book; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 29: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 28, wherein said book production information comprises printing equipment information (i.e. the book production information includes

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information pertaining to the printing information used by the printing equipment in the system; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 30: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 28, wherein said book production information comprises binding equipment information (i.e. the book production information includes information pertaining to the binding information used by the equipment that will perform the binding operation; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 31: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein said equipment specific format converter comprises:

a Raster Image Processor adapted to create a bitmap of the book block (i.e. in the system, an RIP creates a bitmap representation of the book block; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 32: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein step d) further comprises the step of:

a Raster Image Processor adapted to create a bitmap of the book cover (i.e. in the system, an RIP creates a bitmap representation of the book cover; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 33: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein said equipment specific format converter comprises:

a book production information generator adapted to generate hard copy book production information (i.e. the system acquires or generates the appropriate book production information relating the output of the hard copy book. This performs the feature of a book production information generator; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 34: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein for electronic books, said book production information comprises security information (i.e. in the system, when obtaining e-book creation information, which is analogous to the book production information, security information is used to control access to the book; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 35: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein for electronic books, said book production information comprises viewing capabilities (i.e. in the system, when obtaining e-book creation information, which is analogous to the book production information, the

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viewing capabilities of the requester is obtained; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 36: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20, wherein for electronic books, said book production information comprises printing capabilities (i.e. in the system, when obtaining e-book creation information, which is analogous to the book production information, the printing capabilities of the requester is obtained; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 37: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20 wherein said book reproducer comprises for electronic books:

an electronic link adapted to provide access to said book (i.e. the system prepares to give the user access to the e-book via the Internet or through a wide area network. The Internet or the WAN are both electronic links to a network; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 38: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the system in claim 20 wherein said book reproducer comprises for electronic books:

an electronic link adapted to deliver said book to a predefined destination over a data network (i.e. the book may be prepared for the requester by having the e-book transmitted to the requester via an Internet web page or email attachment. The requester receiving the e-book is an example of the book being delivered to a predefined destination, which is the requestor; see figs. 1-3; paragraphs [0007]-[0023]).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levine '462 in view of Warmus '149 (US Pat No 6332149).

Re claim 1: Levine '462 discloses a system having a single, robust, universal workflow for the creation, printing, and binding of hardcopy books, and for the accessibility and delivery of electronic books, said method comprising the steps of:

a) receiving as book files, a digital representation of a book targeted for reproduction (i.e. both the book blocks and cover are received in the system in the digital form. This book represent the book being sought after for reproduction; see figs. 1-3; paragraphs [0007]-[0023]);

b) converting said book files including book identification information into a common normal format (CNF) files that are solution-independent (i.e. in the system, the

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book files are converted to a solution-independent, intermediate format files. These files can be considered as the common normal format files since the files are in a universal format, devoid of any particulars unique to the administrator of the system; see figs. 1-3; paragraphs [0007]-[0023]);

c) storing the CNF files as a mastered book (i.e. the files in the solution-independent form are stored with the book identification information as a mastered book since a mastered book is stored digital book files; see figs. 1-3; paragraphs [0007]-[0023]);

d) converting the CNF files into equipment specific format files that match the needs of a book reproduction system (i.e. in step 112 in figure 1, the system makes an inquiry if the solution-independent files need to be converted to a solution-dependent files in order to meet the particular requirements of the system for reproduction. The solution-dependent files are considered analogous to the equipment specific format files since both are solution-dependent in order to suit the particular requirements of the reproduction system; see figs. 1-3; paragraphs [0007]-[0023]); and

e) reproducing said book from information comprised by said equipment specific format files (i.e. in the system in step 118, the book is reproduced from the solution-dependent form and sent to the user in the requested form desired by the user; see figs. 1-3; paragraphs [0007]-[0023]).

However, Levine '462 fails to teach book files including book production information.

However, this is well known in the art as evidenced by Warmus '149. Warmus '149 discloses book files including book production information (i.e. in Warmus '149, the system is able to process template files, analogous to the book files, that specify position and content of fixed and variable information on the pages to be printed. The pages defined are apart of a book or book versions. This is considered as printing information since the system deals with the printing of the data and the attributes (i.e. appearance) of the data to be printed; see fig. 5; col. 10, lines 45-67 and col. 11, lines 1-51).

Therefore, in view of Warmus '149, it would have been obvious to one of ordinary skill at the time the invention was made to have book files including book production information in order to specify the appearance of information on the books (as stated in Warmus '149 col. 10, lines 45-67).

Re claim 2: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein said book in step a) is originally in the form of electronic files (i.e. the book in the system can already be on the system in digital form, which is also a form of electronic files; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 3: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein said book in step a) is originally in the form of a hard copy, and step a) further comprises the steps of:

scanning the components of said book (i.e. in the system a commercially available optical scanner is used to scan the pages of the book desired for reproduction; see figs. 1-3; paragraphs [0007]-[0023]); and

converting scanned components of said book into said digital representation (i.e. the analog signals representing the image from the optical scanner are converted into a digital representation; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 4: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein said book identification information comprises the book title (i.e. in the system, book identification information includes a title; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 5: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein said book identification information comprises the book author (i.e. in the system, book identification information includes an author; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 6: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein said book identification information comprises the book publisher (i.e. in the system, book identification information includes a publisher; see figs. 1-3; paragraphs [0007]-[0023]).

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Re claim 7: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein said book identification information comprises the International Standard Book Number (i.e. in the system, book identification information includes an ISBN; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 8: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein said book identification information comprises the book publishing date (i.e. in the system, book identification information includes a publishing date; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 9: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein step d) comprises the step of: acquiring or generating hard copy book production information (i.e. the system acquires or generates the appropriate book production information relating the output of the hard copy book; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 10: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 9, wherein said book production information comprises printing information (i.e. the book production information includes information pertaining to the printing information; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 11: The teachings of Levine '462 are disclosed above.

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Levine '462 discloses the method in claim 9, wherein said book production information comprises binding information (i.e. the book production information includes information pertaining to the binding information; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 12: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein step d) further comprises the step of:

via a Raster Image Processor, creating a bitmap of the book block (i.e. in the system, an RIP creates a bitmap representation of the book block; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 13: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein step d) further comprises the step of:

via a Raster Image Processor, creating a bitmap of the book cover (i.e. in the system, an RIP creates a bitmap representation of the book cover; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 14: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein step d) further comprises the step of:

acquiring or generating hard copy book production information (i.e. the system acquires or generates the appropriate book production information relating the output of the hard copy book; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 15: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein for electronic books, said book production information comprises security information (i.e. in the system, when obtaining e-book creation information, which is analogous to the book production information, security information is used to control access to the book; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 16: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein for electronic books, said book production information comprises viewing capabilities (i.e. in the system, when obtaining e-book creation information, which is analogous to the book production information, the viewing capabilities of the requester is obtained; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 17: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1, wherein for electronic books, said book production information comprises printing capabilities (i.e. in the system, when obtaining e-book creation information, which is analogous to the book production information, the

printing capabilities of the requester is obtained; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 18: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1 wherein step e) comprises for electronic books, the step of:

providing access to said book via an electronic link to a data network (i.e. the system prepares to give the user access to the e-book via the Internet or through a wide area network. The Internet or the WAN are both electronic links to a network; see figs. 1-3; paragraphs [0007]-[0023]).

Re claim 19: The teachings of Levine '462 are disclosed above.

Levine '462 discloses the method in claim 1 wherein step e) comprises for electronic books, the step of:

delivering said book to a predefined destination (i.e. the book may be prepared for the requester by having the e-book transmitted to the requester via an Internet web page or email attachment. The requester receiving the e-book is an example of the book being delivered to a predefined destination, which is the requestor; see figs. 1-3; paragraphs [0007]-[0023]).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Dickerson whose telephone number is (571)-270-1351. The examiner can normally be reached on Mon. thru Thur. 9:00-6:30 Fri. 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571)- 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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CD/ 
Chad Dickerson
September 24, 2007


AUNG S. MOE
SUPERVISORY PATENT EXAMINER

9/28/07